

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

2016 JAN 21 PM 4: 19

DEPUTY CLERK

MARGARET M. MORENO,

Plaintiff,

v.

LAW OFFICES OF STEVEN M.
JOHNSON PC,

Defendant.

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Civil Action No. 1:15-CV-215-P-BL

Referred to U.S. Magistrate Judge

ORDER COMPELLING ARBITRATION

Before the Court is Defendant Law Offices of Steven M. Johnson's Motion to Compel Arbitration (Doc. 4), filed December 9, 2015. Plaintiff filed this action on November 18, 2015, and Defendant has not answered. Defendant filed the Motion to Compel Arbitration and certified that Plaintiff's counsel was not opposed to the merits of the motion.¹ After electronic communications with the Court, counsel for both parties submitted a revised Agreed Order to Compel Arbitration on January 15, 2016. In the proposed order,² the parties asked the Court to compel arbitration, appoint a specific arbitrator,³ and stay this litigation pending the outcome.

For housekeeping purposes, the Court hereby **GRANTS** Defendant's motion and **ORDERS** the parties to arbitrate all disputes raised in the Plaintiff's Original Complaint. The Court will not order the parties to utilize the services of a specific arbitrator at this time, but will if the parties fail to identify a mutually agreeable arbitrator within ten (10) days of this order.

¹ The Court is puzzled as to why the parties require an order compelling arbitration if both parties are agreeable to such.

² The proposed order, emailed to the Court, is attached to this order as Exhibit A.

³ Again, it appears both parties are in agreement as to a specific arbitrator, so the need for such to be included in an order compelling arbitration is unclear.

Next, the parties seek to stay this case until arbitration is concluded. Instead, the Court **ORDERS** that this case be **ADMINISTRATIVELY CLOSED**. Nothing in this order shall be considered an order of dismissal or disposition of this case, and, should further proceedings become necessary or desirable after arbitration, any party or the Court may initiate proceedings to reopen the matter.

SO ORDERED.

Dated January 21, 2016.



E. SCOTT FROST
UNITED STATES MAGISTRATE JUDGE

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

MARGARET MORENO,
individually and as representative
of a class of similarly situated persons
Plaintiff,

v.

LAW OFFICES OF STEVEN
M. JOHNSON, PROFESSIONAL
CORPORATION, et al
Defendants.

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Case 1:15-cv-00215-P-BL

AGREED ORDER ON DEFENDANTS' PETITION TO COMPEL ARBITRATION

After considering Defendants' Petition to Compel Arbitration, the exhibits attached, the authorities cited therein, and the pleadings and documents on file, the Court finds that the relief is appropriate and, therefore, the Court, hereby:

1. GRANTS the motion and ORDERS the parties to arbitrate any disputes between the Plaintiffs and Defendants including any breach of the fee agreement(s) and all other disputes and issues raised by Plaintiffs' Original Complaint. The arbitration is referred to Judicial Arbitration and Mediation Service (JAMS) for administration and the Honorable Glenn Ashworth, (Ret.) is appointed as arbitrator;
2. ORDERS all counsel to contact Judicial Arbitration and Mediation Services within ten days to schedule the arbitration; and
3. GRANTS the request to stay the lawsuit pending the outcome of the arbitration, and the lawsuit is, therefore, stayed until further order of the Court.

SIGNED this _____ day of January, 2016.

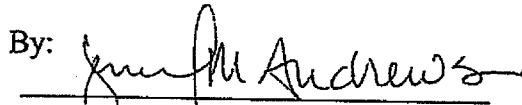
THE HONORABLE E. SCOTT FROST
UNITED STATES MAGISTRATE JUDGE

AGREED:

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